

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

-vs-

BRANDY ELICE LORENTZEN,

Plaintiff,

Defendant.

Case No. 2:20-CR-0096-RMP-2

CRIMINAL MINUTES

DATE: JUNE 3, 2021

LOCATION: SPOKANE

SENTENCING HEARING

		Hon. Rosanna Malouf Peterson			
Penny Lamb Courtroom Deputy		LC1 Law Clerk		Crystal Hicks Court Reporter	
David M. Herzog Government Counsel			Jeffry K. Finer Defense Counsel		
United States Probation Officer: Cassie Lerch (via telephone)					

☒ **Open Court**

☐ **Chambers**

☒ **Telecon**

Defendant present not in custody of United States Marshal with appointed counsel.

Mr. Finer produced a letter from Treatment Solutions prior to the hearing and the Court provided a copy to Mr. Herzog. Mr. Herzog read the letter and had no objection to the letter.

Court confirmed with counsel that they had no objections to the PSR. Court also confirmed with Defendant that she has reviewed the final PSR, the Addendum, and the Sentencing Memorandums filed by counsel. Mr. Finer advised that his client did not review the last citations that he added to his Sentencing Memorandum yesterday, but the entire substance has been laid out.

Mr. Finer addressed the Court and gave his recommendation for sentencing. He asked that Defendant be allowed to self-report and requested 36 months imprisonment so Defendant could participate in RDAP. The Court queried Mr. Finer about whether Defendant has the means to self-report to the facility and what the criteria for RDAP is. Mr. Finer indicated Defendant had the means to self-report. The Court took a ten-minute recess to look into the issues related to RDAP.

Recess: 10:19 a.m. – 10:29 a.m.

Discussion between the Court and counsel regarding RDAP; it is possible to do a shorter sentence and still be able to participate in RDAP. With respect to self-reporting, in order to get any special credit, Defendant would need to self-report to the facility rather than to the Marshals.

Mr. Herzog briefly addressed the Court and had nothing more to add.

Defendant addressed the Court. Colloquy between the Court and Defendant.

The Court ordered the following:

CONVENED: 10:02 A.M.	ADJOURNED: 10:52 A.M.	TIME: 0:40 HR.	CALENDARED [N/A]
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Imprisonment: 30 Months
Supervised Release: 4 Years with standard conditions **plus special conditions:**

- Substance abuse evaluation and treatment/counseling, if recommended
- Mental health evaluation and treatment/counseling, if recommended
- Abstain from controlled substances, including marijuana; Probation Officer is authorized to order up to 6 UAs
- Do not enter any establishment whose primary item of sale is alcohol; abstain from alcohol; Probation Officer authorized to order up to 6 UAs and/or BAs
- Search of person, vehicle and residence

Fine: Waived
Special Assessment: \$100 – Inmate Financial Responsibility Program

The Court ordered that Defendant may self-report to the BOP facility.

Appeal rights given/waived by Plea Agreement including Defendant's right to file a post-conviction 2255 motion except one based upon ineffective assistance of counsel. Mr. Herzog objected to the Court giving appeal rights. The Court took note of Mr. Herzog's objection to the appeal rights. Court GRANTS Government's oral motion to dismiss Counts 2, 4, and 5 of the Indictment with prejudice.